

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

HILDA SOLIS, SECRETARY OF LABOR
FOR THE UNITED STATES
DEPARTMENT OF LABOR,

Petitioner,

vs.

CSG WORKFORCE PARTNERS LLC, et
al.,

Respondents.

ORDER

Case No. 2:11-CV-903-TC

This administrative subpoena enforcement action was referred to United States Magistrate Judge David Nuffer under 28 U.S.C. § 636(b)(1)(B), to review (1) Secretary of Labor Hilda Solis's Petition to Enforce Administrative Subpoena pursuant to 29 C.F.R. § 209,¹ including whether Respondents have shown cause for failure to comply with the Subpoena;² and (2) Respondents' Motion to Dismiss or in the Alternative to Stay.³ Judge Nuffer issued a Report & Recommendation (R&R) for each of the two subjects.⁴ Respondents objected to both R&Rs.⁵

¹Docket No. 2.

²See Sept. 28, 2011 Order to Show Cause (Docket No. 6).

³Docket No. 11.

⁴Docket Nos. 19 and 24.

⁵See Docket Nos. 22 and 25.

Petitioner filed a response in support of Judge Nuffer's recommendations.⁶

Under 28 U.S.C. § 636(b)(1), this court reviews *de novo* the proposed findings, legal conclusions, and recommendations to which Respondents have objected. The court has reviewed all relevant pleadings and case law, and finds that Judge Nuffer's factual findings and legal conclusions are correct. Accordingly, the court hereby ADOPTS Judge Nuffer's November 2, 2011 Report & Recommendation⁷ and Judge Nuffer's December 20, 2011 Report & Recommendation⁸ as the ORDER OF THIS COURT.

To reiterate:

1. Respondents have failed to show cause why they should not be compelled to comply with Petitioner's subpoena.
2. Respondents are ORDERED to provide the information required by the Petitioner no later than 30 days from the date of this Order.
3. The running of the applicable statute of limitations is tolled from September 16, 2011 (the date the documents were due to be produced pursuant to the Subpoena), until such time as Petitioner notifies the District Court that Respondents have complied with the District Court's order enforcing the subpoena.
4. Respondents' Motion to Dismiss or in the Alternative to Stay (Docket No. 11) is DENIED.

⁶See Docket No. 26.

⁷Docket No. 19.

⁸Docket No. 24.

5. The Clerk of the Court is hereby directed to close the above-captioned matter.

ORDERED this 1st day of February, 2012.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
U.S. District Court Judge